

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
October 4, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hopkins. Woodul.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Fellbaum.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 67, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law or county boards of trustees and boards of such districts; validating all proceedings and acts of said board of trustees, heretofore taken by such boards of trustees; validat-

ing all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Small:

S. B. No. 68, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1934, to be used by the State Parks Board, and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Parr:

S. B. No. 69, A bill to be entitled "An Act creating Valley conservation and reclamation district embracing the Counties of Cameron, Hidalgo and Willacy; defining powers and purposes for which said district is created; providing for appointment of directors and defining their powers and duties; authorizing said district to contract with and to receive grants from United States Government or any of its agencies or departments and with the State of Texas and its agencies and departments; making an appropriation to defray expenses of surveys, etc; authorizing State Departments of Reclamation and Health and The Texas Rehabilitation and Relief Commission to cooperate with, aid and assist said District, and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Parr:

S. B. No. 70, A bill to be entitled "An Act to authorize certain counties, cities, towns, independent school districts, common school districts, water improvement districts, water control and improvement districts, navigation districts, drainage districts, and other municipal corporations; and non-profit private corporations, authorized and existing under the Constitution and Laws of this State, to borrow money, and to receive grants and other aid from the Government of the United States, the Federal Emergency Administrator of Public Works, the Reconstruction Finance Corporation, the Federal

Reserve Banks, and any and all other fiscal agencies of the Government of the United States, authorized to make loans or grants; and to authorize such counties, cities, towns, and other public municipal corporations, above enumerated and described, to issue warrants, or other obligations of such corporations as evidence of such loans; and authorizing any and all such counties, cities, towns, and other public municipal corporations to pledge taxes and other prospective revenues, for which provision is made under the constitution and laws of this State for the repayment of such loans; and declaring an emergency; and authorizing non-profit corporations to lend or grant aid to persons entitled thereto."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Poage:

S. B. No. 71, A bill to be entitled "An Act to amend Article 5155, Revised Civil Statutes 1925 as amended by the Regular Session of the Forty-third Legislature, 1933, providing for payment of wages semi-monthly; amending Article 5157, providing for penalty; repealing Article 5158 and Article 5159, Revised Civil Statutes 1925; excepting municipal corporations and wages earned in agricultural and stock raising pursuits, and declaring an emergency."

Read and referred to Committee on Labor.

By Senators Hornsby, Beck and Hopkins:

S. B. No. 72, A bill to be entitled "An Act creating a water conservation and reclamation district as a public corporation under Section 59, Article 16 of the Constitution of Texas, to be known as "The Colorado River Authority"; defining the territory of such district; prescribing the purpose, authority, powers and privileges of such corporation; providing for directors of the corporation, their term of office, their compensation, their powers and duties, and for the employment by them of a secretary, manager, attorneys, auditors, engineers and other assistants; providing that the corporation may enter into contracts and other obligations, acquire and hold property, sue and be sued in its corporate name, for the borrowing of money, the issuance of bonds, notes and other obligations,

and encumbering and pledging the property of the corporation; providing for the deposit, withdrawal and disbursement of funds, financial statements and disposition of net earnings; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Purl:

S. B. No. 73, A bill to be entitled "An Act creating additional appropriations for Assistant State Auditors for the fiscal years ending August 31, 1934, and August 31, 1935; and adjusting the salaries of the State Auditor and Efficiency Expert and of the First Assistant State Auditor for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, increasing the appropriations made for that purpose by the Forty-third Legislature at its Regular Session; and declaring an emergency."

Read and referred to Committee on Finance.

S. C. R. No. 17.

Senator Rawlings sent up the following resolution:

Granting Ralph Bowers, his heirs, executors and administrators privilege to bring suit against Tarrant County.

Whereas, On or about January 11, 1933, Ralph Bowers, of Fort Worth, Tarrant County, Texas, while in the employment of Tarrant County, Texas, sustained and suffered serious and permanent bodily injuries, in the course of his said employment, and while in line of duty, said injuries being sustained on account of the overturning of his motor truck, on the upper Azle Road about 1½ miles from the 10 Mile Bridge on said road in Tarrant County, Texas, belonging to Tarrant County, and which was being operated, at the time of said accident, by the said Ralph Bowers, while on duty and in the course of his employment, at said time;

Whereas, as a result of such accident, the said Ralph Bowers suffered and sustained severe burns about his face, hands, legs and other portions of his body, and further resulting in the loss of his right eye; said injuries being permanent in their nature; and,

Whereas, a dispute has arisen between the said Tarrant County,

Texas, and the said Ralph Bowers, as to the liability of Tarrant County for said injuries and damages resulting to the said Ralph Bowers, as a result of alleged negligent acts and omissions of the said Tarrant County, Texas, its agents, servants and employees; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the said Ralph Bowers, his heirs, executors and administrators, be, and they are hereby, granted permission to bring suit against the County of Tarrant, in the State of Texas, in a Court of competent jurisdiction in Tarrant County, Texas, in order to determine the liability, if any, of the said Tarrant County, Texas, and in order to ascertain, fix, adjudge and award the amount of money, if any, the said Ralph Bowers, his heirs, executors and administrators are entitled to receive from Tarrant County, Texas, as compensation and damages by reason of such injuries and resulting damages; and that in case such suit be filed, service of citation, or other necessary process, shall be had upon the County Judge and the County Commissioners of Tarrant County, Texas, all with the same effect as in other civil cases; and provided that either one of the parties to said suit shall have the right to appeal same to any court or courts of competent appellate jurisdiction, and that Tarrant County, Texas, shall have the right to appeal without the execution of bond; and any judgment that may finally be established against Tarrant County, Texas, in said suit, shall be a liquidated debt, and shall be paid by said Tarrant County, Texas, out of the general fund of said county.

RAWLINGS.

The resolution was read.

The rule requiring resolutions to be referred before consideration was suspended by unanimous consent.

The resolution was adopted.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, October 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 131, A bill to be entitled

"An Act appropriating Twenty-five Thousand Dollars (\$25,000.00) to purchase anti-rabic serum for issuance to public health officers of cities and counties in this State, to be used to treat indigent persons only where an epidemic of rabies exists, and declaring an emergency."

The House has concurred in Senate amendments to H. B. No. 34 by a vote of 117 yeas, 0 nays.

The House on September 28, 1933, concurred in Senate amendments to H. C. R. No. 3 by a viva voce vote.

H. B. No. 51, A bill to be entitled "An Act declaring the public policy of the State with respect to the insurance of deposits in State banks and State bank and trust companies; creating the 'bank deposit insurance company' as a means of carrying out that policy; defining the powers, duties, and privileges of said corporation; etc., and providing for an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills Referred.

H. B. No. 51, read and referred to Committee on Banks and Banking.

H. B. No. 131 read and referred to Committee on Finance.

H. C. R. No. 14.

The Chair laid before the Senate: H. C. R. No. 14, Opposing passage of the Duck Stamp Bill.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The resolution was read and adopted.

H. C. R. No. 10.

The Chair laid before the Senate: H. C. R. No. 10, Petitioning Congress relative to inflation of currency in order to pay bonded indebtedness. Read second time.

On motion of Senator Collie, the resolution was laid on the table subject to call.

Sub-Committee on Relief Bill.

President Pro Tem. George C. Purl, Chairman of the Committee of the Whole, announced the appointment of the following sub-committee to prepare the bill on unemployment relief:

Senators Woodward, Small, Martin, Rawlings and Redditt.

Senator Small moved that the subcommittee be excused from the Senate and directed to give their undivided attention to the preparation of the bill. The motion prevailed.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

H. B. No. 34. H. B. No. 52.
H. C. R. No. 25.

House Bill No. 17.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 17, A bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, page 734, by adding thereto Section 5-a (Article 3886-a); providing for the maximum compensation for district attorneys and county attorneys in all counties in this State having a population of one hundred thousand and one (100,001) and not more than one hundred and fifty thousand (150,000) inhabitants, and containing a city having a population in excess of seventy-five thousand (75,000) inhabitants, according to the last preceding Federal Census; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Poage sent up the following amendment:

Amend H. B. No. 17, by striking out the figures "100,000" wherever they occur and insert in lieu thereof the following: "125,000."

POAGE.

Read and adopted.

On motion of Senator DeBerry the bill was laid on the table subject to call.

Messages from the Governor.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in First Called Session:
Upon request of Honorable Joseph

F. Greathouse, I hereby submit for your consideration a bill hereto attached to be entitled: "An Act to amend H. B. No. 231, Chapter 102, page 225, General Laws passed at the Regular Session of the Forty-third Legislature, State of Texas, by extending the period within which relief may be granted to debtors coming under the provisions of said Act, and extending the terms and provisions and the relief granted under said Act to and including the first day of January, A. D. 1935; amending Section 1 and 11 of said Acts; fixing a state policy."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in First Called Session:

By request of Representative Kyle, I herewith submit for your consideration a bill hereto attached to be entitled: "An Act providing for the levy and collection of special taxes in certain common and independent school districts and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 3, 1933.
To the Forty-third Legislature in First Called Session:

By request of Representative Cannon and Representative Patterson, I herewith submit for your consideration a bill hereto attached to be entitled: "An Act regulating the practice of photography and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in First Called Session:

By request, I hereby submit for your consideration a bill hereto attached as written amending only sections 2 and 4 of Chapter 141 of the Laws of the Regular Session of the Forty-third Legislature, 1933, and nothing else.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in
First Called Session:

At the request of Representative Golson and others, I submit for your consideration a bill, hereto attached, to be entitled: "An Act to amend Article 920 of the Code of Criminal Procedure of the State of Texas for 1925, so as to provide that a defendant placed in jail on account of failure to pay the fine and costs can be discharged on habeas corpus by showing that he is too poor to pay the fine and costs, and that he has remained in jail a sufficient length of time to satisfy the fine and costs, at the rate of one dollar for each day; providing further that a justice of the peace may discharge the defendant upon his showing the same cause by application to such justice, providing that in no event shall the defendant be discharged until he has remained in jail at least ten days; and requiring the justice to note the granting of such application on his docket."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in
First Called Session:

By request of Representative Mackay and others, I submit herewith for your consideration the attached bill being "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 3, 1933.
To the Forty-third Legislature in
First Called Session:

By request of Senator Poage, I herewith submit for your consideration a bill hereto attached to be entitled: "An Act to amend Article 5155, Revised Statutes of 1925, providing for payment of wages semi-monthly and declaring an emergency."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

Executive Office,
Austin, Texas, October 4, 1933.
To the Forty-third Legislature in
First Called Session:

At the request of Representative Celaya, I submit for your consideration a bill, hereto attached, to be entitled: "An Act creating Valley conservation and reclamation district embracing the Counties of Cameron, Hidalgo and Willacy."

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

House Bill No. 18.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 18, A bill to be entitled "An Act to amend Article 3886, of the Revised Civil Statutes of 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, by reducing in the aggregate the amount of salaries of employees in the office of the criminal district attorneys in counties having a population in excess of 355,000 inhabitants, and fixing the compensation of such employees so as to provide an adequate staff for said offices in said counties; providing for the payment of certain of said employees by said counties from the general funds of such counties; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

On motion of Senator Purl, the bill was laid on the table subject to call.

House Bill No. 38.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 38, A bill to be entitled "An Act to amend H. B. No. 925, Chapter 89, Acts of the Forty-second Legislature, passed at its Regular Session in 1931, authorizing any navigation district created for the development of deep-water navigation which may now have, or may hereafter have, within its boundaries, a city of not less than twenty-seven thousand nor more than twenty-eight thousand inhabitants, as shown by the Federal Census last

preceding such action, to borrow money and encumber its properties and revenues to secure payments thereof, by adding thereto new sections, to be known as Sections 8, 9, 10, 11, 12, 13, and 14, so as to provide for notice and hearing in respect of the issuance of the evidences of any such indebtedness; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 38 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hopkins. Woodul.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hopkins. Woodul.

House Bill No. 45.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 45, A bill to be entitled "An Act validating and legalizing the creation of navigation districts heretofore created under authority of Section 52, Article III, of the Constitution of Texas, and which have thereafter been converted into navigation districts under Section 59, of Article XVI, of the Constitution, and as provided by Section 1, of Chapter 103, Acts of the Forty-first Legislature, 1929, First Called Session; etc., and declaring an emergency."

Read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 45 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Hopkins. Woodul.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Murphy.
Blackert.	Neal.
Cousins.	Oneal.
DeBerry.	Pace.
Duggan.	Parr.
Fellbaum.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.

Russek.	Stone.
Sanderford.	Woodruff.
Small.	Woodward.

Present—Not Voting.

Collie.

Absent—Excused.

Hopkins.	Woodul.
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House Bill No. 54.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 54, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Chapter 26, Acts of the Forty-second Legislature, First Called Session, and by Chapter 162, Acts of the Forty-third Legislature, imposing a tax of one-tenth of one cent per barrel on crude petroleum oil; appropriating the proceeds of such tax to the Railroad Commission of Texas to be used in carrying out its duties in connection with the conservation laws of this State relating to oil and gas; providing for the employment of supervisors, assistants, and other employees by the Commission and for the payment of their salaries, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Read second time.

On motion of Senator Purl, the bill was laid on the table subject to call.

Invitation to Hear Senator Connally.

The Chair extended to the Senate the invitation of the House to hear an address by U. S. Senator Tom Connally in the House at 11 o'clock this morning.

On motion of Senator Poage, the invitation was accepted.

At 11 o'clock a. m., the Senate adjourned to the House.

In the House.

The hour of 11 o'clock a. m. having arrived, same being the hour set aside to hear an address by Hon. Tom Connally, the Senate, being announced at the Bar of the House, was admitted and escorted to seats already prepared for them.

The Speaker announced the appointment of the following committee to escort Hon. Tom Connally to the Speaker's stand: Mrs. Hughes, Messrs. Hodges, McGregor, Jackson, and Harman.

The committee having performed its duty, Speaker Stevenson presented Hon. Tom Connally, who addressed the joint session.

In Session.

The Senate returned to the Senate Chamber at 11:50 o'clock a. m.

Executive Session Set.

On motion of Senator Sanderford, the Senate voted to go into executive session at 11:55 o'clock a. m. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,

Austin, Texas, October 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, have had under consideration the request of the Governor to withdraw the nominations made by her to be members of the Gonzales State Park Commission, as follows:

Mrs. R. S. Dilworth,

Mrs. W. P. Midkiff,

Mrs. John Embler, all of Gonzales, Gonzales County, Texas, and I, as chairman of said committee, am instructed to report back to the Senate with recommendation that said request be in all things granted.

MARTIN, Chairman.

Adopted.

Recess.

On motion of Senator Purl, the Senate, at 1:20 o'clock p. m., recessed until 2:55 o'clock p. m.

After Recess.

The Senate met at 2:55 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

House Bill No. 29.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 29, A bill to be entitled "An Act to authorize the withdrawal or exclusion of lands from water control and improvement districts which embrace lands in two or more counties, and containing not less than one hundred twenty-five thousand (125,000) acres after the provisions hereof are adopted by a two-thirds vote of the board of directors of any such district, by resolution and entered of record upon the minutes of such board, and a copy thereof recorded in the office of the county clerk of each county in which any portion of the lands of such district are situated; providing that no petition for exclusion of lands shall be presented or filed unless the lands proposed to be excluded, and therein described, exceed five thousand (5,000) acres; prescribing the method of procedure whereby lands may be withdrawn or excluded from any district; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 29 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Woodul.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodward.

Present—Not Voting.

Collie. DeBerry.

Absent—Excused.

Woodul.

H. C. R. No. 9.

The Chair laid before the Senate by unanimous consent:

H. C. R. No. 9, Relative to lease of certain reefs in Red Fish Bay.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The resolution was read and adopted.

House Bill No. 65.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 65, A bill to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than three thousand (3,000) and not more than three thousand one hundred (3,100) population, according to the last preceding Federal Census, from the county available school fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Martin the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 65 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Woodul.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodward.

Absent—Excused.

Woodul.

Motion for Executive Session.

Senator Purl moved that the Senate go into executive session immediately.

Senator Woodruff moved as a substitute that the Senate go into executive session immediately prior to adjournment today. The substitute motion was lost.

The original motion prevailed.

The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

The committee voted to rise and report progress.

Adjournment.

Senator Rawlings moved to adjourn until 10 o'clock tomorrow morning. The motion prevailed and at 4:07 o'clock p. m., the Senate adjourned.

APPENDIX.

Petitions and Memorials.

(Letter.)

Santa Fe, New Mexico,
October 2, 1933.

Bob Barker, Esq.,
Secretary of Senate,
Austin, Texas.

My dear Mr. Barker:

Your letter of the 28th has been received, transmitting copy of Senate Resolution No. 16, introduced by Senator K. M. Regan and adopted by a rising vote of the Senate on September 27, 1933, in tribute to our late beloved Governor Arthur Seligman.

In behalf of the people of New Mexico, I desire to express our appreciation to the honorable members of the Texas State Senate for their kindness and sympathy to the family of our late Governor as well as all the people who mourn his passing. This resolution is being given to the press of the state.

Assuring you of my esteem, believe me,

Yours very sincerely,

A. W. HOCKENHULL,
Governor.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 13, carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.
Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 28, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 35, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 56, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 51, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 38, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, October 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 61, A bill to be entitled "An Act amending Articles 2702, 2703, and 2724, of the Revised Civil Statutes of Texas, 1925, relating to the county unit system of education; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, October 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 52, A bill to be entitled "An Act making appropriation to reimburse growers and producers of cotton for expenses incurred by reason of the establishment by the Pink Bollworm Commission of regulations requiring fumigation and sterilization of cotton and cotton seed."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed (an advance printing of the bill having already been made).

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, October 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 37, A bill to be entitled "An Act making an appropriation for the suppression of typhus fever through the control of rodent transmitters thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed (an advance printing having already been made).

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, October 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 9,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, October 4, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 25, A bill to be entitled

"An Act adding two new sections to Article 7174 of the Revised Civil Statutes of 1925 and providing that the owner of any real estate in this State may file with the tax assessor a statement describing any liens thereon and that thereupon such owner shall be taxed only upon the equity owned in said real estate, that said lien shall be assessed as other real property against the owners thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, October 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. C. R. No. 4, a resolution relative to a modified resolution relating to the qualifications of teachers passed by the State Board of Education.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, October 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 67, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by General or Special Law, or county boards of trustees and board of such districts; validating all proceedings and acts of said board of trustees, heretofore taken by such boards of trustees; validating all bonds voted, authorized and/or sold and/or now outstanding of said districts; validating all tax

levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, October 4, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 36, A bill to be entitled "An Act amending Section 1 of Chapter 12, Acts of the Forty-second Legislature, defining the offense of kidnapping for extortion, ransom or robbery so as to provide for capital punishment regardless of whether the person kidnapped, detained or enticed away is returned by the defendant without serious bodily injury; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODRUFF, Chairman.

SIXTEENTH DAY.

Senate Chamber,

Austin, Texas,

October 5, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	